

## **REMARKS**

### **I. Concerning the Amendment**

Claims 1-43 are pending after entry of the Amendment. Claims 2-31, 34, and 36-37 are original claims as filed. Claims 1, 32, 33, and 35 are amended as requested herein, while Claims 38-43 are new claims.

Claims 1, 32, 33, and 35 are amended to correct minor typographical errors. New Claims 38-43 are supported by Claims 32-37 as originally filed, as well as page 10, line 14 to page 11, line 20 of the Specification.

Applicants respectfully request entry of the Amendment.

### **II. Concerning the Double Patenting Rejection**

Claims 1-31 stand rejected under the judicially created doctrine of obviousness-type double patenting over Claims 1-22 of US Patent 6,564,578 in view of Rummelhoff (GB 22357140 A). A Terminal Disclaimer relative to US Patent 6,564,578 is submitted concurrently herewith.

Applicants respectfully request withdrawal of the rejection.

### **III. Concerning Rejection of Claims 32-37 based on 35 U.S.C. §102 (b)**

Claims 32-37 stand rejected under 35 U.S.C. §102(b) as anticipated by Rummelhoff (GB2357140A) or Dubar et al. (WO 99/30094). Applicants respectfully traverse the rejection for the reasons which follow hereinafter.

Dubar et al. disclose an apparatus and process for liquefying natural gas which use a series of heat exchangers for cooling of the natural gas in countercurrent heat exchange relationship with a refrigerant (nitrogen) wherein a pre-cooling refrigeration system is used to precool the natural gas prior to its being introduced into the heat exchangers. See Abstract. An external refrigerant (nitrogen) and refrigeration system are used. Page 9, line 31 to page 11, line 13 of the reference. The Dubar et al. process is said to result in savings with respect to the cost of manufacturing, operating, and maintaining the heat exchangers. Page 5, lines 9-12. There is no teaching or suggestion in the Dubar reference with respect to integration of an LNG process with a GTL process.

The claimed invention concerns in part a LNG product with unique characteristics that can result from the process claimed herein. Specifically, the LNG product results from an integrated LNG/GTL process that in embodiments shifts non-combustibles such as nitrogen, helium and carbon dioxide from the LNG phase of the integrated facility and also the resulting LNG product, and into the feed to the GTL phase of the integrated facility. See the discussion at page 20, lines 14-23 of the Specification. Specifically, the vapor stream from the specific LNG process (which is used as feed to the GTL phase) employed in the claimed invention comprises a higher mole percentage of non-combustible components and lower molecular weight hydrocarbon than is present in the natural gas feed to an LNG plant or than is

common for traditional GTL feedstock. Thus, the resulting LNG product comprises a higher composition of ethane and higher boiling point hydrocarbon, thereby increasing the energy content and value of that stream. An improved higher value LNG product is thereby obtained according to the claimed invention, with the corresponding benefits described at page 20, line 23 to page 21, line 2 of the Specification.

These compositional differences in the vapor stream and the liquid product stream occur in large part from the specific cooling/expansion/separation steps as described in the present Specification at pages 12-19. Such specific cooling/expansion/separation steps employed for the natural gas feed to an LNG process are not disclosed in the Dubar et al. reference. Dubar is a significantly different process and uses an external refrigerant. Applicant submits there is no teaching or suggestion within the Dubar et al. reference concerning shifting of non-combustibles and lighter hydrocarbon components to attain the specific LNG product as claimed. Further, there is no teaching or suggestion in the Dubar et al. reference as to any composition ranges for non-combustibles or hydrocarbon content heavier than methane. It is submitted that the Dubar et al. process results in a different product compositionally relative to the presently claimed invention due to the process differences. As a result, the In re Thorpe decision does not support the rejection.

Applicants also submit Rummelhoff is not a proper reference for purposes of 35 U.S.C. §102(b), as it published on June 13, 2001, a date well within one year from the filing date of the present Application. Thus, Rummelhoff cannot anticipate the claimed invention under §102(b).

For these reasons, Applicants respectfully request withdrawal of the rejection.

#### **IV. Concluding Remarks**

Applicant submits that Claims 1-43 are in condition of allowance and, therefore, respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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